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Attorney Docket No.: MORN 0006 (108347.00017)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ke

Kemp, et al.

Serial No.:

09/655,131

Filed:

09/05/00

For:

HIGHLY ACIDIC METALATED ORGANIC ACID

Group No.:

1616

Examiner:

John D. Pak

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box: 1450, Alexandria, VA 22313-2450, on July 22, 2004.

Deb Pepper

## RESPONSE

Responsive to the Office Action dated January 28, 2004, having a shortened statutory period for responding expiring April 28, 2004, and extended for three months by petition included herewith until July 28, 2004, Applicants respectfully request reconsideration in view of the following remarks.

## I. <u>Double Patenting Rejection</u>

Claims 1, 3, and 10 - 11 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,572,908. Applicants have enclosed a terminal disclaimer which provides that any patent issuing from the